

Kirk O'Brian Asset Management, Inc.

3225 McLeod Drive, #100
Las Vegas, NV 89121
(702) 214-1221

February 1, 2006

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Certification of CPNI Filing
EB Docket Nos. 06-TC-060 and 06-36

Dear Ms. Dortch:

Attached, in accordance with the Federal Communications Commission's Public Notice, DA 06-223, released January 30, 2006, and Section 64.2009(e) of the Commission's Rules, is our customer proprietary network information ("CPNI") compliance certificate and accompanying statement.

Sincerely,

Kirk B. Fybel

Kirk B. Fybel
President

Kirk O'Brian Asset Management, Inc.

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CPNI Compliance Certification

I hereby certify, as an officer of Kirk O'Brian Asset Management, Inc. that I have personal knowledge that, to the extent required by the rules and regulations of the Federal Communications Commission, Kirk O'Brian Asset Management, Inc. has established operating procedures that are adequate to ensure compliance with the rules in Subpart U – Customer Proprietary Network Information – of Part 64 of Title 47 of the Code of Federal Regulations. Attached to this Compliance Certification is a statement explaining how Kirk O'Brian Asset Management, Inc.'s operating procedures ensure that it is in compliance with these rules.

Name: Kirk B. Fybel

Title: President

Date: February 1, 2006

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STATEMENT

Pursuant to Section 64.2009 of the Federal Communications Commission's ("FCC's") rules and regulations, 47 C.F.R. § 64.2009, Kirk O'Brian Asset Management, Inc. has prepared this statement outlining why its operating procedures ensure that it is in compliance with the FCC's Customer Proprietary Network Information ("CPNI") rules.

Kirk O'Brian Asset Management, Inc. does not disclose CPNI to any third parties or allow third party access to CPNI. Nor does Kirk O'Brian Asset Management, Inc. engage in outbound marketing that utilizes CPNI. Kirk O'Brian Asset Management, Inc., however, trains its employees regarding the appropriate use of CPNI and will ensure that any employee that violates established CPNI procedures is appropriately disciplined. In addition, Kirk O'Brian Asset Management, Inc. maintains a record of all instances in which CPNI was disclosed or provided to third parties or in which third parties were allowed access to CPNI;

If Kirk O'Brian Asset Management, Inc. decides to employ CPNI for outbound sales and marketing campaigns, it will:

- maintain a record of sales and marketing campaigns that used customers' CPNI;
- establish a supervisory review process regarding compliance with the CPNI rules with respect to outbound marketing situations and maintain records of compliance for a minimum period of one year;
- and require sales personnel to obtain supervisory approval of any proposed outbound marketing request for customer approval regarding CPNI.